

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

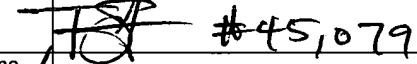
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/776,030-Conf. #9063
	Filing Date	February 10, 2004
	First Named Inventor	Kunihiro Matsuura
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number 02008/149001

ENCLOSURES (Check all that apply)

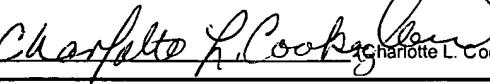
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Combined Declaration and Power of Attorney Application Data Sheet Filing Fee for the Application (as shown on accompanying Fee Transmittal) Formal Drawings Part 2 Copy of Notice
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	OSHA & MAY L.L.P.		
Signature			
Printed name	Jonathan P. Osha		
Date	November 17, 2004	Reg. No.	33,986

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004

Signature:  (Charlotte L. Cookingham)



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,050.00)

Complete if Known

Application Number	10/776,030-Conf. #9063
Filing Date	February 10, 2004
First Named Inventor	Kunihiro Matsuura
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	02008/149001

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number 50-0591

Deposit Account Name Osha & May L.L.P.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	430	2252	215
1253	980	2253	490
1254	1,530	2254	765
1255	2,080	2255	1,040
1401	340	2401	170
1402	340	2402	170
1403	300	2403	150
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,370	2453	685
1501	1,370	2501	685
1502	490	2502	245
1503	660	2503	330
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
Other fee (specify)			

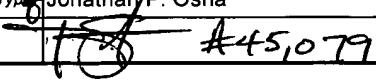
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 260.00)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

(Complete if applicable)

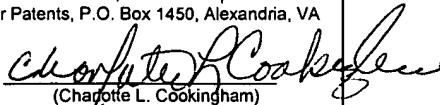
Name (Print/Type) Jonathan P. Osha	Registration No. (Attorney/Agent) 33,986	Telephone (713) 228-8600
Signature 	Date	November 17, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004

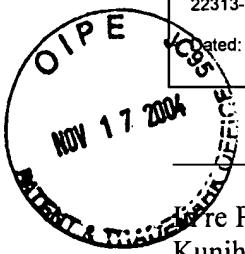
Signature:  Charlotte L. Cunningham

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004 Signature: 
(Charlotte L. Cunningham)

Docket No.: 02008/149001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Patent Application of:
Kunihiro Matsuura et al.

Application No.: 10/776,030

Confirmation No.: 9063

Filed: February 10, 2004

Art Unit: N/A

For: TESTING APPARATUS

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed September 27, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), Formal Drawings (8 figures, 8 pages), Submission of Substitute Drawings, Verification of English Translation and Translation of Specification and Part 2 Copy of Notice.

Please charge our Credit Card in the amount of \$1,050.00 covering the fee set forth in 37 CFR 1.16(e), 1.16(a), 1.17(k), and 1.16(e). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 02008/149001.

Dated: November 17, 2004

Respectfully submitted,

By 

Thomas R. Scherer

Registration No.: 45,079

OSHA & MAY L.L.P.

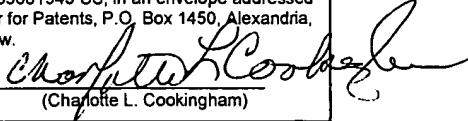
1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to MS PGPUB Drawings, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: November 17, 2004 Signature: 
(Charlotte L. Cunningham)

Docket No.: 02008/149001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kunihiro Matsuura et al.

Application No.: 10/776,030

Confirmation Number: 9063

Filed: February 10, 2004

Art Unit: N/A

For: TESTING APPARATUS

Examiner: Not Yet Assigned

SUBMISSION OF SUBSTITUTE DRAWINGS

MS PGPUB Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is one set (eight sheets, eight figures) of substitute drawings for filing in the above-identified patent application.

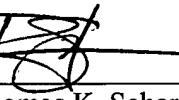
Applicant submits that the substitute drawings are formal.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 02008/149001 from which the undersigned is authorized to draw.

Dated: November 17, 2004

Respectfully submitted,

By


Thomas K. Scherer
Registration No.: 45,079
OSHA & MAY L.L.P.
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)



Application No. (if known): 10/776,030

Attorney Docket No.: 02008/149001

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 535681943 US in an envelope addressed to:

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on November 17, 2004
Date

Charlotte L. Cunningham
Signature

Charlotte L. Cunningham

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet



U.S.P.T.O.
NOV 17 2004
550
SEARCHED
INDEXED
MAILED

NOV 18 2004

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,030	02/10/2004	Kunihiro Matsuura	02008.149001

Jonathan P. Osha
ROSENTHAL & OSHA L.L.P.
Suite 2800
1221 McKinney
Houston, TX 77010

CONFIRMATION NO. 9063
FORMALITIES LETTER



OC00000013913564

Date Mailed: 09/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/19/2004 YPOLITE1 00000067 10776030

01 FC:1001 790.00 OP
02 FC:1051 130.00 OP
03 FC:1051 130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow

chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 2, 7.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1030** for a Large Entity

140

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Tseverek
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE